

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

JERMAINE MINOR, by his son and next friend, JERMON MINOR, individually and on behalf of a class,)	
)	
)	
Plaintiff,)	Case No. 21-CV-503-SMY
)	
vs.)	
)	
OLDCASTLE SERVICES, INC., and OLDCASTLE LAWN & GARDEN, INC.,)	
)	
Defendants.)	

ORDER

This matter comes before the Court on Plaintiff's Motion to Amend the Complaint and Extend the Scheduling Order (Doc. 36), Defendants' Motion to Stay Discovery (Doc. 46), Plaintiff's Motion for Contempt (Doc. 50), and Plaintiff's Motion to Compel (Doc. 51). The Court, having reviewed these motions and any pleadings in opposition to them, rules as follows:

Motion to Amend (Doc. 36) and Motion to Stay Discovery (Doc. 46)

In the interests of justice and pursuant to F.R.C.P. 15(a)(2) and 16(b), Plaintiff's Motion to Amend the Complaint and Extend the Scheduling Order is **GRANTED**. *Arreola v. Godinez*, 546 F.3d 788, 796 (7th Cir. 2008). Plaintiff shall file their Amended Complaint *instanter*. The deadline to take depositions is extended to February 15, 2024. In light of this ruling, Defendants' Motion to Stay Discovery (Doc. 46) is **DENIED as MOOT**.

Motion for Contempt (Doc. 50) and Motion to Compel (Doc. 51)

Defendants unilaterally ceased engaging in discovery during the pendency of Plaintiff's motion to amend the Complaint of these motions. But Defendants' belief that it was not appropriate to move forward with discovery until the Court ruled on the motion was not a

legitimate basis to disregard their court-ordered discovery obligations. While the Court declines to impose sanctions in this instance, Defendants are **ADVISED** that failing to comply with the Court's orders in the future will subject them to appropriate sanctions. Accordingly, Plaintiff's Motion for Contempt (Doc. 50) is **DENIED**. Defendants are **ORDERED** to comply with Judge Sison's Order dated October 24, 2023, (Doc. 44) **within 7 days**.

Likewise, Plaintiff's Motion to Compel (Doc. 51) is **GRANTED**. Defendants are **ORDERED** to comply with the following discovery **within 14 days**:

- Produce Chris White for deposition;
- Respond to Plaintiff's second set of written discovery requests;
- Provide a complete response to Plaintiff's Interrogatory No. 1; and
- Produce any outstanding ESI that the parties have agreed would be produced.

Finally, Defendants are **ORDERED** to Produce Rule 30(b)(6) corporate witnesses for deposition **within 21 days**.

IT IS SO ORDERED.

DATED: November 17, 2023



STACI M. YANDLE
United States District Judge